

Some in the media have already suggested that the al Qaeda may be encouraging the whole event. Some unintended consequences do occur, what will come from this attack is still entirely unknown.

It's a well-known fact that the al Qaeda are not allies of Saddam Hussein and despise the secularization and partial westernization of Iraqi culture. They would welcome the chaos that's about to come. This will give them a chance to influence post-Saddam-Hussein Iraq. The attack, many believe, will confirm to the Arab world that indeed the Christian West has once again attacked the Muslim East, providing radical fundamentalists a tremendous boost for recruitment.

An up or down vote on declaring war against Iraq would not pass the Congress, and the President has no intention of asking for it. This is unfortunate, because if the process were carried out in a constitutional fashion, the American people and the U.S. Congress would vote No on assuming responsibility for this war.

Transferring authority to wage war, calling it permission to use force to fight for peace in order to satisfy the U.N. Charter, which replaces article I, section 8 war power provision, is about as close to 1984 "newspeak" that we will ever get in the real world.

Not only is it sad that we have gone so far astray from our Constitution, but it's also dangerous for world peace and threatens our liberties here at home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUT AN END TO CORPORATE ABUSE AND HELP EMPLOYEES AND RETIREES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, we have seen a bevy of cases in which corporate executives plunder their own business, work with insiders, and do dastardly things in their business world. We have seen them use every kind of device known to mankind to avoid their responsibilities to their debtors, to their

employees, to the retirees, to their fellow insiders even. And so we have done great things in trying to curb that kind of practice.

Yesterday, I introduced H.R. 5525, which takes another step down the road of protecting the employees and the retirees of a given company that might have corporate executives going down the wrong paths. My bill would simply state that if such a corporate executive should go bankrupt or a business like that go bankrupt, that retirees under that corporate structure will be protected with respect to their retirement so that the bankruptcy would not absolve the retirees benefits that would accrue to them if the corporation kept alive.

And so protecting retirees is one of the aspects of our bankruptcy reform bill for corporate executives. The other one would be to make sure that employees currently on the payroll are not robbed of their potential pay checks by a bankruptcy that absolves or tries to absolve the corporate executives from meeting their salary and wage obligations to the employees. We allow the bankruptcy courts to take that into consideration when such a bankruptcy occurs so that the employees can be protected.

This is a national extension of the work that we have been doing over 5 years now to reform the bankruptcy laws of our country. Do you recognize the fact that the current law which we are trying to change and which we are within a quarter of an inch of trying to change that the current law under bankruptcy allows one of these corporate executives to take millions of dollars, escape to a State that has a homestead exemption and then purchase a big mansion in one of these places where the full value of that mansion would not be subject to creditors or to employees or anybody else?

We have changed that in our bankruptcy reform bill. And so everyone should recognize that one of the good things that comes out of bankruptcy reform is further safeguarding against corrupt corporate executives and streamlines a system that for so many years really required streamlining.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. SHOWS) is recognized for 5 minutes.

(Mr. SHOWS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

(Mr. FARR of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

(Mr. TAYLOR of Mississippi addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHANGE IN APPOINTMENT OF CONFEREES ON H.R. 4, SECURING AMERICA'S FUTURE ENERGY ACT OF 2002

The SPEAKER (during the Special Order of Mr. KUCINICH). Pursuant to clause 11 of rule I, the Chair announces that in the appointment of the managers on the part of the House in the conference on the bill H.R. 4, the gentlewoman from Wyoming (Mrs. CUBIN) is appointed, in addition to the appointment from the Committee on Resources, for consideration of the House bill and the Senate amendment, and modifications committed to conference.

The Clerk will notify the Senate of the change in conferees.

VOTE "NO" ON IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Ohio (Mr. KUCINICH) is recognized for 60 minutes as the designee of the minority leader.

Mr. KUCINICH. Mr. Speaker, I want to thank the Speaker and the leadership for providing me with this opportunity.

Mr. Speaker, it was just a few moments ago that 25 Members of Congress, in temperatures that outside

were over 90 degrees, stood one after another to announce their opposition to the war resolution that has been presented to this Congress.

□ 1515

As the vote on whether or not this Nation goes to war approaches in this Chamber, a vote which most surely will come within a few days, I think it is important, Mr. Speaker, for us to be able to make the case to the American people as to why it is not appropriate for this country to go to war and to encourage the American people to call their Members to make sure that government of the people, by the people, and for the people does prevail.

The Members who joined me today, Members for whom I have the greatest gratitude, include the gentlewoman from Florida (Ms. BROWN), the gentleman from Ohio (Mr. BROWN), the gentleman from Massachusetts (Mr. CAPUANO), the gentlewoman from North Carolina (Mrs. CLAYTON), the gentleman from Michigan (Mr. CONYERS), the gentleman from Illinois (Mr. DAVIS), the gentleman from Oregon (Mr. DEFazio), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the gentleman from Texas (Mr. DOGGETT), the gentleman from California (Mr. FARR), the gentleman from California (Mr. FILNER), the gentlewoman from Texas (Ms. JACKSON-LEE), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Virginia (Mr. MORAN), the gentleman from Massachusetts (Mr. OLIVER), the gentlewoman from Michigan (Ms. RIVERS), the gentleman from Vermont (Mr. SANDERS), the gentleman from New York (Mr. SERRANO), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentlewoman from California (Ms. SOLIS), the gentlewoman from Ohio (Mrs. JONES), the gentlewoman from California (Ms. WATERS), the gentlewoman from California (Ms. WATSON), and the gentlewoman from California (Ms. WOOLSEY).

One after another they came before the national press to make their case as to why this Congress should vote against any resolution which would put us on a path towards war. And one after another, in front of the National Press Corps, they called out to the American people to tell the American people to make sure that they called their Members of Congress; that if they did not want war, these Members told the National Press Corps, that if the American people do not want war, to call their Congressman.

So, Mr. Speaker, today, I intend to do a number of things. I intend to present to this Congress an analysis of the joint resolution which was offered to this Congress; and, after presenting that analysis, I want to put in perspective where we are in this moment in history.

The resolution which this Congress is facing says: "Whereas in 1990 in response to Iraq's war of aggression against an illegal occupation of Kuwait, the United States forged a coalition

of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq."

The American people need to know that the key issue here is that in the Persian Gulf War there was an international coalition. World support was for protecting Kuwait. There is no world support for invading Iraq.

The resolution goes on to say: "Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

"Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated."

But the key issue here that the American people need to know is that U.N. inspection teams identified and destroyed nearly all such weapons. A lead inspector, Scott Ritter, said that he believes that nearly all other weapons not found were destroyed in the Gulf War. Furthermore, according to a published report in *The Washington Post*, the Central Intelligence Agency, yes, the Central Intelligence Agency, has no up-to-date accurate report on Iraq's capabilities of weapons of mass destruction.

The resolution that is presented to this Congress says: "Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998."

What the American people need to know, and the key issue here, is that the Iraqi deceptions always failed. The inspectors always figured out what Iraq was doing. It was the United States that withdrew from the inspections in 1998, and the United States then launched a cruise missile attack against Iraq 48 hours after the inspectors left. And it is the United States, in advance of a military strike, the U.S. continues to thwart, and this is the administration's word, weapons inspections.

Now, this resolutions, and what I am doing here obviously is stating the resolution as a point and then making the counterpoint so the American people can understand that this is a capsule summary of the debate that is going to take place in this House next week.

In the resolution the administration contends: "Whereas, in 1998 Congress

concluded that Iraq's continuing weapons of mass destruction programs threatened U.S. vital interests and international peace and security, declared Iraq to be in material and unacceptable breach of its international obligations and urged the President to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations."

The resolution says: "Whereas Iraq both possesses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations."

The American people deserve to know that the key issue here is that there is no proof that Iraq represents an imminent or immediate threat to the United States of America. I will repeat: there is no proof that Iraq represents an imminent or immediate threat to the United States. A continuing threat does not constitute a sufficient cause for war. The administration has refused to provide the Congress with credible evidence that proves that Iraq is a serious threat to the United States and that it is continuing to possess and develop chemical and biological and nuclear weapons.

Furthermore, there is no credible evidence connecting Iraq to al Qaeda and 9-11, and yet there are people who want to bomb Iraq in reprisal for 9-11. Imagine, if you will, as Cleveland columnist Dick Feagler wrote last week, if after this country was attacked by Japan at Pearl Harbor in 1941, if instead of retaliating by bombing Japan, we would have retaliated by bombing Peru. Iraq is not connected by any credible evidence to 9-11, nor is it connected by any credible evidence to the activities of al Qaeda on 9-11.

The resolution says, and I quote, continuing in this comparison point by point, the resolution says, that we will be voting on the administration's resolution: "Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait."

The counterpoint, and what the American people deserve to know, the key issue here, is that this language is so broad that it would allow the President to order an attack against Iraq even though there is no material

threat to the United States. Since this resolution authorizes the use of force for all Iraq-related violations of U.N. Security Council directives, and since the resolution cites Iraq's imprisonment of non-Iraqi prisoners, this resolution could be seen by some to authorize the President to attack Iraq in order to liberate Kuwaiti citizens, who may or may not be in Iraqi prisons, even if Iraq met compliance with all requests to destroy any weapons of mass destruction.

The resolution goes on to say: "Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against any other nations and its own people;

"Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council."

The counterpoint of this, Mr. Speaker, and the key issue here, is that the Iraqi regime has never attacked, nor does it have the capability to attack, the United States. The no-fly zone was not the result of a U.N. Security Council directive. Now, many people do not know that. They think the U.N. Security Council established the no-fly zone. It did not. The no-fly zone was illegally imposed by the United States, Great Britain, and France, and is not specifically sanctioned by any Security Council resolution.

The resolution goes on to say, and I quote from the resolution: "Whereas members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, are known to be in Iraq."

Well, the American people need to know there is no credible evidence that connects Iraq to the events of 9-11 or to participation in those events by assisting al Qaeda.

The resolution states, and I quote: "Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens."

The key issue here, and the counterpoint that the American people need to know, is that any connection between Iraq's support of terrorist groups in the Middle East, Mr. Speaker, is an argument for focusing great resources on resolving the conflict between Israel and the Palestinians. It is not a sufficient cause for the United States to launch a unilateral preemptive strike against Iraq. Indeed, an argument could be made that such an attack would exacerbate the condition in the Middle East and destabilize the region.

The resolution states: "Whereas the attacks on the United States of Amer-

ica of September 11, 2001 underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations."

And, again, and I stress, the American people need to know that there is no connection between Iraq and the events of 9-11. However, this resolution attempts to make the connection over and over and over. And just saying that there is a connection does not make it so, because the Central Intelligence Agency has not presented this Congress with any credible information that indicates that there is in fact a tie between Iraq and 9-11, between Iraq and al Qaeda, or Iraq and the anthrax attacks on this Capitol.

And if we are to go to war against any Nation, and I oppose us doing this in this case, we ought not be taking such action in retaliation, and ought not put it in a document like this in retaliation, attacking a nation that had nothing to do with 9-11.

□ 1530

The resolution goes on to say, "Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself"; that is the assertion.

The key issue here is that there is no credible evidence that Iraq possesses weapons of mass destruction. If Iraq had successfully concealed the production of such weapons since 1998, and let us assume that somebody has information they have never told Congress, they have never been able to back up, but they have this information and it is secret, and they secretly know Iraq has such weapons, there is no credible evidence that Iraq has the capability to reach the United States with such weapons, if they have them, and many of us believe no evidence has been presented that they do.

In 1991, the Gulf War, Iraq had a demonstrated capability of biological and chemical weapons, but they obviously did not have the willingness to use them against the Armed Forces of the United States. Congress has not been provided any credible information which proves that Iraq has provided international terrorists with weapons of mass destruction.

Mr. Speaker, this resolution will be presented to this Congress to vote on as a cause of war. I am reading the exact quote from the resolution, and then I am making the counterpoint. In effect, this is the first step towards a debate on this issue on this floor.

The resolution says, "Whereas United Nations Security Council Reso-

lution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949."

The counterpoint and what the American people need to know is that the U.N. Charter, and we participate in the United Nations, we helped form the United Nations, we helped set up this international framework of law that is represented by the United Nations, that the United Nations Charter forbids all Member nations, including the United States, from unilaterally enforcing U.N. resolutions.

We cannot do this on our own. We cannot decide that some nation is in violation of U.N. resolutions and we take it upon ourselves to render justice.

The resolution states, that will be before this House as a cause of war, "Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 612, 664, 665, 666, 667, 669, 670, 674, 677"; and the point is the same.

If those Security Council resolutions are not being implemented, that is up to the United Nations and the Security Council to take up the matter. It is not up to the United States to initiate unilateral action enforcing U.N. resolutions with military force.

The resolution which is being presented to this House next week says, "Whereas in December 1991, Congress expressed its sense that it supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1), that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region, and that Congress supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688."

Well, the counterpoint here is this, and what we are going to be asserting on the floor of this House is that this clause demonstrates the proper chronology of international process in contrast to the current march to war. In

1991, the United Nations Security Council passed the resolution asking for enforcement of its resolution. Member countries authorized their troops to participate in a U.N.-led coalition to enforce the U.N. resolutions. Now the President is asking Congress to authorize a unilateral first strike before the U.N. Security Council has asked its member states to enforce U.N. resolutions.

If we believe in international law, then we ought to look to what this country did in 1991 when it joined the United Nations' effort on this matter on global security and not go it alone, not initiate a unilateral action or attack or preemptive strike.

The resolution here says, "Whereas the Iraq Liberation Act (Public Law 105-338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime."

Well, the counterpoint is this, and the American people should know this, this sense of Congress resolution which is referred to in that paragraph was not binding. Furthermore, while Congress supported democratic means of removing Saddam Hussein, and I voted for that, we clearly did not endorse the use of force contemplated in this resolution.

Where does it end? Is there some other leader we do not like that we are going to use force to take out? Nor did Congress endorse assassination as a policy. It is absolutely horrific that a Nation which has prided itself as celebrating the rule of law, as believing in the rights of all people, that we would have any document in our government, have any public official in our government, have anybody working for this government implying or openly advocating that we would use assassination as a policy. This country has suffered from assassination of some of our greatest leaders, some of our greatest Presidents, and we know that once that principle goes out there, that it can only go against the highest principles this country stands on.

Mr. Speaker, this resolution says, "Whereas on September 12, 2002, President Bush committed the United States to work with the United Nations Security Council to meet our common challenge posed by Iraq and to work for the necessary resolutions, while also making it clear that the Security Council resolutions will be enforced, and that the just demands of peace and security will be met, or action will be unavoidable."

It goes on to say, "Whereas the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council reso-

lutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary."

That is their cause of war. Now what the American people need to know, and the other side of that key issue is, unilateral actions against Iraq will cost the United States the support of the world community, adversely affecting the war on terrorism. No credible intelligence exists which connects Iraq to the events of 9/11 or to those terrorists who perpetrated 9/11. And under international law, the United States does not have the authority to unilaterally order military action to enforce United Nations Security Council resolutions.

The point that the administration is trying to make, and it is in this resolution, that it is a cause of war is that, "Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations."

The key issue here and what the American people need to know and what will be in debate on this floor next week is that the administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. The American people are fair people. They do not believe in hitting someone who did not hit them. They believe in self-defense, but they do not believe that we should bomb Iraq if Iraq is not connected to 9/11.

The administration in the resolution that we will be voting on next week, their cause of war says, "Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations."

Again, I repeat, the answer to that is obvious. By now people need to understand, the American people need to know, the counterpoint is the administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. Furthermore, there is no credible evidence that Iraq has harbored those who are responsible for planning the attacks.

The resolution says, "Whereas the President has the authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Mili-

tary Force (Public Law 107-40);" and what the American people need to know and the key point here, the counterpoint is that this resolution that we passed, the one we passed last year, that was specific to 9/11. It was a limited response to 9/11. It did not authorize war without end. We did not vote for that. We did not vote to conduct war against Iraq a year ago.

The resolution states, "Whereas it is in the national security of the United States to restore international peace and security to the Persian Gulf region."

The key issue here, Mr. Speaker, what do we mean by national security interests? If by national security interests of the United States the administration means oil, it ought to communicate such to the Congress. A unilateral attack on Iraq by the United States will cause instability and chaos in the region, and it will sow the seeds of future conflict all over the world.

Mr. Speaker, we have an enactment clause in all laws which is effectively the stuff of which the law is made. All of the things that I have cited before are substantially prefatory clauses, even hortatory language, but the real guts of the law comes in the enactment clause.

□ 1545

The short title is the Authorization for the use of Military Force Against Iraq.

Section 2. Support for United States Diplomatic Efforts.

The Congress of the United States supports the efforts by the President to strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and, B, obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

Mr. Speaker, Congress can and Congress should support this clause. However, the section I am about to read, which is section 3, undermines the effectiveness of this section 2. Any peaceful settlement requires Iraq compliance. The totality of this resolution, however, indicates the administration will wage war against Iraq no matter what. This approach, of course, would undermine negotiations.

I am going to cite from section 3 which is the section that all Americans are going to want to know about:

Section 3. Authorization for Use of United States Armed Forces.

Authorization. The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to, 1, defend the national security of the United States against the continuing threat posed by Iraq; and, 2, enforce all relevant United Nations Security Council resolutions regarding Iraq.

Mr. Speaker, the key issue here and the counterpoint and what will be the focus of debate in this House next week is this fact: this clause is substantially similar to the authorization that the President originally sought. It gives authority to the President to act prior to and even without a U.N. resolution, and it authorizes the President to use U.S. troops to enforce U.N. resolutions, even without United Nations' request for it. So what we are talking about here is unilateralism. Go it alone. Policeman of the world. Strike first. Send a signal to every other nation; strike first. This is a violation of chapter 7 of the U.N. charter, which reserves the ability to authorize force for that purpose to the Security Council alone.

Under chapter 7 of the charter of the United Nations, it says that the Security Council shall determine the existence of any threat to peace and shall make recommendations to maintain or restore international peace and security. That is from article 39. It says that only the Security Council can decide that military force would be necessary. The Security Council may decide what measures are to be employed, to give effect to its decisions. Article 41. And it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. That is article 43.

Furthermore, the resolution that will be before us authorizes use of force illegally since the U.N. Security Council has not requested it. According to the U.N. charter, members of the U.N. such as the U.S. are required to make available to the Security Council on its call and in accordance with the special agreement or agreements, armed forces. The U.N. Security Council has not called upon its members to use military force against Iraq at the current time. Furthermore, changes to the language of the previous use of force resolution drafted by Congress and objected to by many Members of Congress are cosmetic.

I want it stated, Mr. Speaker, if I thought for a moment that this country was facing a threat and was under attack, I and every Member of this Congress would rise in a single voice. By voice we would have a unanimous resolution defending this country, because that is our proud tradition. As a matter of fact, that is one of the foundational principles of this country, to provide for the common defense. We have an obligation to provide for the common defense. But we also have an obligation not to let that hallowed principle, that sacred principle of providing for the common defense be misused.

It says provide for the common defense, not provide for the common offense. It is called the Department of Defense, not the Department of Offense. America is not an aggressor Nation, but the resolution that is brought in this House next week would for the first time in the history of this country make America an aggressor Nation. We

have to remember that we are heirs to an incredible tradition, a tradition of standing up for honesty and decency and human rights in this world, a tradition of truth telling, a tradition upon which 226 years rests. In that tradition there are no Democrats or Republicans; there are only Americans. Before this Congress defames the purpose of this country by voting for such a resolution, we owe it to the American people to go over every aspect of this resolution to make sure that we are not making a grievous mistake that would set this country on a path towards destruction.

Mr. Speaker, many of us remember last month when we left this Chamber to join hundreds of Members of Congress in a solemn commemoration of 9-11 and in solidarity with New Yorkers at Federal Hall in New York City. I know the Speaker and other Members of Congress, all of us, could sense a special energy at that sacred shrine to democracy where George Washington was sworn in, where a Congress of 2 centuries ago received the Bill of Rights. As I stood there, Mr. Speaker, in a moment of reflection, I could envision the Congress of long ago gathering as a galaxy of stars just cascaded from the sky through that circular opening above the rotunda of Federal Hall. In my mind's eye, I could see this galaxy of stars coming through representing universal principles pouring into this venerable site, in forming the pledge that Washington made to a new Nation, freedom's holy light illuminating the Bill of Rights.

In that moment, I had a new understanding about our flag. Our flag as spangled with stars as a bolt of heaven itself connects the United States with eternal principles of unity, of brotherhood and sisterhood. Look at that flag. Those stars are not just 50 States. They are principles. And the energy of the stars, present at the birth of this Nation, is still with us. It is upon that dark blue cloth of our flag. One bright star there shines for hope, another star for optimism, another for well-being, one for freedom, one star for abundance, one star for creativity, one for togetherness, and one for peace. One star to wish upon to create our highest aspirations, to make our dreams come true.

This, our country and our very selves are all made of such stars. As the popular song goes, "This is who we are." This is what gives higher meaning to our being an American. This is what gives higher meaning to patriotism. I love our flag. Though some would make it stand for chaos and war, I see the field of stars as standing for the highest expression of human unity. A higher meaning of the United States is that we express wholeness through the unity of 50 States. Out of many, we are one. That is the motto up there, Mr. Speaker, *e pluribus unum*, Latin for "out of many, we are one." We present ourselves to the world as an exemplification of the principle of oneness, of

the universality of all, of the confirmation of one in the many. The world. Out of many nations we are one. Universality, that is where we come from.

The idea of America emerged from the intellectual energy, the heart energy, the spirit energy of the Renaissance, the genesis and a journey of lovers marrying their fortunes together, bound for America, looking for that lamp lifted beside the golden door of liberty. The quest for universal principles, of justice, of human rights, of civil rights, of opportunity, of a meaningful future is what caused millions, millions to see America as the light of nations. These universal principles are the stars by which those who came to our shores sailed. These are the stars that can guide us past the shoals of arms dealers and oil interests who today would crash our ship of state upon the rocks of war.

America has a higher destiny. As with generations past, our destiny can take us to places we have never been before or can only imagine, places of peace, places of plenty, places of hope, places of love. We have a right to live up to our ideals. That is our birthright. We should not trade it for the pretensions of empire, nor for delusions of grandeur, nor for all the gold in Fort Knox, all the tea in China, nor all the oil in Iraq. America has a higher destiny. Mr. Speaker, I want to speak about the America that can be, about reestablishing the context of our Nation, about a second renaissance which can begin in this Nation with this generation.

First, let us travel to the place where civilization was born thousands of years ago, upon the banks of the Tigris and Euphrates. Let us see there, instead of dancing with death and killing untold thousands of innocent civilians, we can change directions, pull back from war with Iraq, change the outcome, connect with our aspirations for peace and reclaim our ingenuity and creativity in human relations.

Why is this war and why has this war that we are facing with Iraq, why has it been presented as inevitable? Is it not time to insist that our leaders stop incessant war talk, this assumed right to unilateral action? Is it not time that we insist on preventive diplomacy and our obligation to work with the world community on matters of global security? Why is this war being presented as inevitable?

The headlines from The New York Times the day after we visited to commemorate 9-11 read, "Bush to Warn U.N., Act on Iraq or U.S. Will. He Leads Nation in Mourning at Terrorist Sites." There is no credible evidence linking Iraq with 9-11, with al Qaeda, or with anthrax attacks. There is no credible evidence Iraq has usable weapons of mass destruction, the ability to deliver such weapons, or the intention to do so.

When Iraq possessed such weapons, quite sad to say, they did it with the knowledge and sometimes with materials from the United States. During

the administration of President Reagan, 60 helicopters were sold to Iraq. Later reports said Iraq used U.S. helicopters to spray Kurds with chemical weapons. According to The Washington Post, Iraq used mustard gas against Iran with the help of intelligence from the CIA. Intelligence reports cited the use of nerve gas by Iraq against Iran. Iraq's punishment? The U.S. reestablished full diplomatic ties around Thanksgiving of 1984. Throughout 1989 and 1990, U.S. companies, with the permission of the first Bush government, sent to Iraq, the government of Saddam Hussein, tons of mustard gas precursors, live cultures for bacteriological research, helped to build a chemical weapons factory, supplied West Nile virus, supplied fuel explosive technology, computers for weapon technology, hydrogen cyanide precursors, computers for weapon research and development, and vacuum pumps and bellows for nuclear weapons plants. "We have met the enemy," said Walt Kelly's Pogo, "and he is us."

□ 1600

Unilateral action on the part of the United States or in partnership with Great Britain would for the first time set our Nation on a blood-stained path of aggressive war, a sacrilege against the memory of those who fought to defend this country. America's moral authority would be undermined throughout the world. It would signal for Russia to invade Georgia; China, Taiwan; North Korea, South; India, Pakistan; and destabilize the entire Gulf and Middle Eastern region.

There is a way out. We need a comprehensive solution to the crisis in Iraq. It must involve the United Nations, and it can be facilitated by Russia, which signed a \$40 billion trade agreement with Iraq. Inspections for weapons of mass destruction must begin immediately. Inspectors must have free and unfettered access to all sites. Negotiations must begin.

Concerning the counterproductive policies, a regime change and sanctions, emergency relief must be expedited. Free trade except in arms should be permitted. Foreign investments should be allowed, and the assets of Iraq abroad must be restored. A regional zone free of weapons of mass destruction should be established.

If we could take a new direction in Iraq and the region, we could begin a new era of peace. We do not have to go to war. We could refocus our effort on the conflict between the Palestinians and the Israelis. We could bring new initiatives to help Pakistan and India resolve Kashmir.

Mr. Speaker, in total, the United States can repair its position in the world community through cooperation, not confrontation. We can change the world for the better, and we can look to the heavens itself for guidance. We can begin by banning any research planning or deployment of weapons in outer space. Human destiny has always

been linked with the stars. How grim that America is planning to put weapons in outer space, to seize the ultimate high ground, to attempt to gain strategic advantage over every nation on Earth.

We must turn back from such arrogance. We must let the name of peace be hallowed on Earth as it is in the heavens. With a space preservation treaty, we must direct our efforts towards solving conflicts on this planet rather than spreading war and perpetuity throughout the universe in a plan paradoxically called Vision 2020.

I have a vision of nations working together cooperatively, using what President Franklin Roosevelt called the science of human relations. That is the basis for the creation of a department of peace which seeks to make non-violence an organizing principle in our society for domestic as well as international policy. War is not inevitable unless we refuse to work for peace patiently and tirelessly.

I envision a U.S. leadership which will end the threat of nuclear destruction by realizing the promise of the Nonproliferation Treaty. Seventeen nations possess, are pursuing, or are capable of acquiring nuclear weapons. Now is the time to stop the drive towards nuclear rearmament. Now is the time to provide incentives to stop the nuclear arms race, to stop building nuclear weapons, and to stop testing.

America should restore the ABM Treaty and begin again with Russia true arms reductions towards the day when all nuclear weapons are abolished, and America can lead those 26 nations which possess or they are pursuing or are trying to get chemical weapons of mass destruction. We need to move towards participation in the chemical weapons convention and agree to have such weapons eliminated worldwide. America can lead the way towards the destruction of all biological weapons of mass destruction by signing on to the biological weapons convention. Twenty nations have designs on such weapons. Let America lead the way towards abolishing biological weapons.

We have much work to do to regain world leadership in ending the proliferation of small arms by signing the small arm treaty and to eliminate the scourge of land mines. America can help strengthen the cause of international justice by agreeing to the International Criminal Court. Certainly, certainly a Nation which has an interest in bringing to justice those in violation of international law should support an international court which would accomplish just that.

Mr. Speaker, last month I represented the United States at the World Summit on Sustainable Development. There with the gentleman from California (Mr. GEORGE MILLER), the gentleman from Oregon (Mr. BLUMENAUER), I called for our Nation to join with the world community in solving the challenge of global climate

change and working to reduce carbon emissions, greenhouse gases. America must lead the way towards sustainable and renewable energies. As a first step, I joined with Mayor Brown of Oakland, proposing a \$50 billion solar initiative in cooperation with Mikhail Gorbachev's Global Green.

It is the United States that lead the way towards a global community which is inclusive and sustainable, which promotes democratic values, and which enables the growth of potential and the health of each person by putting human rights and workers' rights and environmental quality principles into each and every trade agreement.

There is much work to do on the world stage, but we cannot do it by creating war when we ought to be working for peace. Iraq is not an imminent threat, but an unemployment rate which is reaching 6 percent is an imminent threat. Forty-one million Americans without health insurance is an imminent threat. The high cost of prescription drugs, an imminent threat. Unregulated energy companies which charge confiscatory rates for electricity and gas, an imminent threat. Large corporations which lie about their value and deprive stockholders of their life's savings, an imminent threat. Seniors losing their pensions, an imminent threat.

So, too, is the climate of fear being cycled in this country. Every time a civil liberty is rolled back or undermined in America, a little bit of our free Nation dies. Each government report which drums terror and fear weakens our Nation. When Francis Scott Key wrote "Oh, say does that star-spangled banner yet wave, o'er the land of the free and the home of the brave," he made the essential connection between democracy and courage. Courage will guide our Nation through this crisis. Courage will enable us to set our government right. Courage will enable us to go to the campuses, to labor halls, to churches and to the streets to organize against a war which will undermine our Nation, ruin our reputation, kill innocent people, and damage the economy of our Nation and the world.

We are at a critical and creative moment in the human history where we have it within our power to change the world. It is about evolutionary politics which follows an evolutionary consciousness. We can do it by changing the way we look at the world, by contemplating and realizing universal brotherhood and sisterhood of all persons. We can do it by tapping into our own unlimited potential to think anew.

Imagine, imagine if we could look at our Nation today with the same daring with which our Founders gazed. Imagine if we could regain the capacity of spirit which animated freedom of speech, the right to assemble, the right to vote, freedom from fear, freedom from want.

I tell my colleagues that there is another America out there, and it is

ready to be called forward. It is the America of our dreams. It is the America of the flag full of stars. It is the America which is in our hearts, and we can make it the heart of the world.

I thank the people of the 10th Congressional District for giving me the honor to serve the State of Ohio in this Congress, and I join once again in gratitude to all those Members of Congress who today called on the people of America to reconfirm the commitment of government of the people, by the people, and for the people, to reconfirm the connection which you have with this country. And if you do not want war with Iraq, then the people have the right to contact their Members of Congress and tell them so. That is the essence of representative government; that is the process I am proud to be a part of. That is why it is a privilege to be a Member of the Congress of the United States.

OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, OCTOBER 2, 2002 AT PAGE H6963

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC., September 26, 2002.

Hon. J. DENNIS HASTERT,
Speaker of the House,
Washington, DC

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on September 25, 2002 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

Sincerely,

DON YOUNG,
Chairman.

There was no objection.

DOCKET 2702: MARTIN PENA CANAL, SAN JUAN, PUERTO RICO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Rio Puerto Nuevo, Puerto Rico, and other pertinent reports to include the dredging of Cano Martin Pena Project Design Report and Environmental Impact Statement, dated March 2001, to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection and related purposes at the Martin Pena Canal, San Juan, Puerto Rico.

Adopted: September 25, 2002.

DOCKET 2703: ARTHUR KILL CHANNEL AND MORSES CREEK TO PERTH AMBOY, NEW JERSEY
Resolved by the Committee on Transportation and Infrastructure of the United States House

of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the New York and New Jersey Channels, published as House Document 133, 74th Congress, 1st Session, and other pertinent reports to determine whether benefits have changed affecting the feasibility of deepening the Arthur Kill channel and easing bends in the channel from Morses Creek to Perth Amboy, New Jersey, to accommodate deep draft navigation. The review shall include the locally prepared study entitled "Pre-feasibility Study for Channel Improvement—Arthur Kill from Morses Creek to Perth Amboy and Raritan Bay Approaches."

Adopted: September 25, 2002.

DOCKET 2704: ELLIOTT BAY SEAWALL, SEATTLE, WASHINGTON

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the Comprehensive Study of Water and Related Land Resources for Puget Sound and Adjacent Waters, State of Washington, dated 1971, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of storm damage prevention, shoreline protection, environmental restoration and protection, and related purposes in Elliott Bay, Washington, including the rehabilitation of the Alaskan Way seawall.

Adopted: September 25, 2002.

DOCKET 2705: MIDDLE AND LOWER ST. CROIX RIVER, MINNESOTA AND WISCONSIN

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the St. Croix River, Wisconsin and Minnesota, published as House Document 462, 71st Congress, 2nd Session, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, environmental restoration and protection, water quality and related purposes to include developing a comprehensive coordinated watershed management plan for the development, conservation, and utilization of water and related land resources in the St. Croix River Basin and its tributaries.

Adopted: September 25, 2002.

DOCKET 2706: TONAWANDA CREEK WATERSHED, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Buffalo Metropolitan Area Water Resources Management Final Report dated 1991 and all interim studies for the entire Tonawanda Creek Watershed and related reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection, flood damage reduction, stream bank restoration, water quality, recreation and other related purposes.

Adopted: September 25, 2002.

DOCKET 2707: MILL CREEK, SOUTHAMPTON, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the

Chief of Engineers on the Delaware River Basin, New York, New Jersey, Pennsylvania and Delaware, published as House Document 522, 87th Congress, 2nd Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of flood control, environmental restoration and protection, riparian habitat improvement, erosion, and other related purposes in the Mill Creek area, Southampton, Pennsylvania.

Adopted: September 25, 2002.

DOCKET 2708: SILVER AND BROCK CREEKS, YARDLEY, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Delaware River Basin, New York, New Jersey, Pennsylvania and Delaware, published as House Document 522, 87th Congress, 2nd Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of flood control, environmental restoration and protection, riparian habitat improvement, erosion, and other related purposes in the Silver and Brock Creeks Watersheds, Yardley, Pennsylvania.

Adopted: September 25, 2002.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TANNER (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Mr. LEWIS of California (at the request of Mr. ARMEY) for today after 11:30 a.m. and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.

Mr. TAYLOR of Mississippi, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. GEKAS, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, October 7.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's